

# IPCC ref: 2012/010040

## Appeal, Ian Belchamber

My initial response has already been provided,

<http://www.dorsetspeed.org.uk/2014/IPCC%20case%202012a.pdf>

Now that the dust has settled a bit, I have the guidance for appeal, and have had some time to read the report, I need to add to this and will do so as briefly as possible. Anyone reading this could almost be forgiven for thinking that I must be wrong, things could not possibly be as bad as this, but they are and we now need an honest and balanced conclusion from the IPCC appeal.

Although the issues are widespread and serious, I will focus only on the terms of the complaint, the Hampshire report, and the grounds for appeal and comment only on the most obvious and serious facts. I will just reiterate that it is astonishing that such a lengthy investigation can totally dodge a £1million fraud committed against the people of Dorset and others facilitated by misstating the safety benefit of cameras, refusing to discuss, deny, or explain it but simply trying to say that “it did not come within the terms of the complaint” or “it has nothing to do with Martin Baker” when it clearly did. It has also completely dodged the clearly absurd costs claimed by DP for the course. These 2 points relate precisely to the fundamental terms of the complaint.

### **Firstly I would like to spell out a couple of the most significant points from my first appeal document:**

1. Colin Smith confirmed the obvious with me that “misleading” included “knowingly allowing misleading”
2. Hampshire concluded that Martin Baker did not mislead concerning safety benefit of cameras. The Speed on Green camera was highly controversial at the time and MB must have known about it. The public were told in a press release that it was about casualty reduction. When the site data was eventually forced out of DP it showed that casualty reduction was not possible as the KSI count was **ZERO. The Safety benefit of this camera was misstated. Martin Baker knowingly allowed misrepresentation of camera safety benefit.**
3. Hampshire concluded that Martin Baker did not mislead concerning the course finances. It took me about 6 months to get out of Dorset Police a short list of top level costs for the provision of the driver course. The top 2 were staffing (£520,000) and premises (£153,000) which as anyone can tell at a glance are obviously false or exaggerated. In the first meeting with Colin Smith, he said, I remember the words as it was so significant, **“I can see why you are asking these questions as the figures just don’t stack up”** I understand that CS has now left Hampshire Police but clearly this appeal must ask him, and Sally French who was witness, if he did or did not say that, as obviously, **the complaint could not possibly be considered to be properly dealt with until that concern was answered. It has not been. This point alone proves that Hampshire Police have not properly investigated MB / Dorset Police, they have simply tried to protect them.**

4. The 2 points were mentioned in the complaint put to DP and then to MB when DP ignored it. Martin Baker cannot claim to be unaware of these issues.
5. During the meeting, incredibly, beyond that fact that the 3 had no idea about the press release I had repeatedly referred them to indicating misleading camera benefit, it came out that the top level figures I had been given, which I and Colin Smith noticed were not possibly remotely reasonable, were “incorrect”!!!! Why was this not realised 3 years ago when I started questioning them? Why was I instead declared “vexatious” so that DP would not have to admit the “mistake”? Or was it deliberate misrepresentation? Either way, when figures are incorrect, they mislead, particularly when as you question them, you are not given a correction / explanation, as I still have not, you are instead told that you are vexatious to try to make the problem go away.
6. The position of Hampshire Police and Martyn Underhill was therefore in tatters. MU reluctantly agreed to look into those 2 issues relating precisely to the terms of the complaint.
7. At the start of the meeting MU said that the meeting would be recorded and that I would receive a copy. **However, despite multiple reminders, this has not happened and MU is refusing to even answer if he will deal with these 3 actions he said he would, or not. The explanation for this irrational, obstructive and unprofessional behaviour seems obvious. I believe that Mr Underhill now knows that the facts, if he deals with them properly, will prove Hampshire’s conclusions and his hasty unbalanced acceptance of them wrong. He is now trying to save face rather than have the dishonesty and incompetence of Dorset Police, which seem no better today, exposed.**

## Comments on the Hampshire Police report

The report can be seen online here: [http://www.dorset.pcc.police.uk/Document-Library/Road-Safety-Investigation-Report-\(July-2014\)/1---Investigating-Officers-Report-\(April-2014\)--Supplementary-Report-\(July-2014\).pdf](http://www.dorset.pcc.police.uk/Document-Library/Road-Safety-Investigation-Report-(July-2014)/1---Investigating-Officers-Report-(April-2014)--Supplementary-Report-(July-2014).pdf)

(page 11)

7.1.8 (Holes Bay, the fraudulent £1million camera)

The KSI data relating to the camera site shows zero KSI for the entire history of the site and even zero slights for the previous 4 years

<http://www.dorsetroadsafe.org.uk/images/Documents/SiteStats2012-13/RedLightCams/RL%20A350%20Holes%20Bay%20RdPoole%20jw%20Sterte%20Road%201023%20Sbd.pdf>. **The information in the report is completely different to this and no attempt has been made to explain this conflict.**

“community concerns .. are not available for review as the data was held by individual analysts who have now left..” **Nonsense. This was controversial at the time and I was asking about the “community concern” at the time by FOI and not given any satisfactory answers. Such important information would obviously be carefully retained if it ever existed. This is a lie. The “community concern” never existed. “Data prior to 2010 has been lost” How convenient!!!**

7.3.1 “we have as a partnership achieved around a 30% reduction in KSIs since 2012” **Absolute nonsense. It is probably meant to be 2002, but in any case, the 30% reduction would have been an observed reduction, likely to be mostly due to long term downwards trend. It is pure fantasy, and highly misleading for the partnership to claim this entire reduction for itself as its own achievement.**

7.3.2 I had already pointed out that the similar statements claiming entire reductions made in order to win the Price Michael award (on my original complaint) were misleading in terms of safety benefit. I had also repeatedly referred to the misleading Speed on Green press release.

7.3.3 Martin Baker was made aware of statements which misled the public and the Prince Michael award panel and he allowed them to remain without taking any action. If there are 100 bricks and I move 30 of them, I can say that I moved 30% of them. If I moved some unknown number of bricks but say that I achieved moving 30% of them because 30% of them moved even though other people were moving bricks, this would obviously be optimistic and misleading, there can't be any dispute about that.

7.4. Here is a good example of throwing a large amount of paper and numbers at something and hoping it will go away. The key issues had already been established: the top 4 costs I was given were clearly totally excessive, as Colin Smith agreed, and I'm quite certain, would have proved misrepresentation. What we needed to see was a breakdown of the costs I was given. Not further costs for further years.

(page 19)

“The complainant has raised concerns within his website that the costs associated with delivering the course are excessive” **NO. The costs I was given in the freedom of information response are all I am questioning.** “Currently ....” I am not interested in “currently” until my original enquiry is properly answered.

(page 20)

“The complainant refers to details stating that the costs are unreasonable, however the investigation has found that the costs are significantly below those quoted” **PERHAPS THIS EXPLAINS WHY THEY WERE ABSURD AND WHY I WAS QUESTIONING THEM. Those costs came directly in the FOI response, I copied the exact text of the response to Colin after the Christmas review and yet the impression is given that the error is mine! Has anything I have presented ever been looked at?**

**7.5.2 (Conclusion) WRONG, as above**

**7.7 and 7.8 ABSOLUTELY DISGRACEFUL. A the very least, a £1million fraud was committed in which Dorset Police played a crucial part and made the money, Martin Baker knew about it as the complaint was put to him when DP ignored it, and was facilitated by lies from Johnny Stevens and Pat Garrett. MU has made absolutely no challenge to my exposure of this fraud whatsoever, and has simply tried to wriggle out of it by saying that MB and DP had nothing to do with it.**

## Conclusion

It really could not be any more clear that the handling of this complaint by Hampshire Police and Mr Underhill represents a further significant and disgraceful step in a very long chain of cover-up and dishonesty which I have already carefully documented here: <http://www.dorsetspeed.org.uk/2014/>

The points I have commented on above are the only points in the report relevant to the complaint and the investigation by Hampshire has badly and blatantly fudged them with the obvious aim of protecting Dorset Police from the issues. Martyn Underhill has keenly accepted this badly flawed report without allowing me to review it and even though he agreed during the meeting that 2 points crucial to the 2 main terms of the complaint needed explaining I have to now consider his refusal to communicate with me about them or provide the recording of the meeting as refusal to deal with these actions.

It is also crystal clear that all the grounds for appeal are met completely:

1. The findings of the investigation are inappropriate and all proportionate lines of enquiry have not been followed.
2. The decision made about whether an officer has a case to answer for misconduct or gross misconduct is inappropriate.
3. The police's proposed action is inappropriate.
4. The decision not to refer the matter to the CPS inappropriate.
5. I have not been provided with enough information about the investigation and its conclusions to understand the findings and outcomes proposed by the police.

Ian Belchamber